



JANUARY MEETING

Tuesday, January 16, 2018



RAAR

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- ✓ Winter Member Mixer
- ✓ Spring Banquet
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- ✓ Member networking with current tips, bargains and referrals
- ✓ Knowledge of State and local political issues affecting property managers and owners
- ✓ Monthly newsletter

A one-year membership is \$99.

To join or e-mail RAA, go to

www.rockfordapartmentassociation.org

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Property Standards

City of Rockford's Neighborhood Standards Supervisor **Rob Wilhelmi** and Assistant City Attorney and Blight Reduction Officer **Matt Flores**

Join us as we talk about the aspects of keeping your property properly maintained and what the City of Rockford property codes require. What to do when you receive a violation notice and how the City of Rockford handles violations.

Cost: FREE for members, \$15.00 for non-members

Networking 6:30 P.M.

General Meeting 7:00 P.M.

Letter from the President

Happy New Year to all Rockford Apartment Association members and their families! Another year came and went as fast as a blink of an eye! It's so amazing. Since my last letter we have had another great meeting and a wonderful Christmas Party commonly known as our "Winter Mixer".

In November our topic was "The Eviction Process". We had a three member panel which included myself, Tim Hoffman, and Jerry Glawe. Thanks to Jerry and Tim for sharing their expertise with the membership. Larry Mills our Program Director led the meeting with a series of questions involving the eviction process. Each of us on the panel shared our many years of experience in handling evictions from how to avoid them, and how to weave our way through the court system. Hopefully the standing room only members and guest's found it informative and entertaining.

Our Winter Mixer was a success as usual. Again we gathered at Midway Village to enjoy an evening of great food and comradery. Our Winter Mixer is meant to bring all us together for one evening to meet other RAA members, and to share the wealth of knowledge and ideas relating to our business with each other. We had extra entertainment this Christmas as Muffy provided a little fun and games having board members perform a skit. I can tell you, none of us knew what we were in for, but it was lots of fun! Thank you Muffy for all that fun and all the hard work you and your volunteers do to make it such a wonderful evening. I'm telling you she doesn't get enough credit. Please thank her if you see her!

RAA rental forms for members only

Forms are available at the following locations.

Please call in advance to be sure someone will be available to help you.

RAA Meetings

6776 E. State St.
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Rockford Area Association Of Realtors

*6776 East State Street
Rockford, IL*



Starting the New Year out, we will host a Home Rule forum January 10th 2018 at Midway Village starting at 6:00pm. City of Rockford Mayor Tom McNamara will address the membership. The purpose of this forum is let the Mayor talk about why he supports Home Rule and what it would mean for the city of Rockford if it passed or not passed by the voters in March. We are inviting all landlords whether they are RAA members or not. The larger the turn out the better.

Our regular meeting January 16th will be held in our normal meeting location. Rockford Area Association of Realtors building located at 6776 East State St. Rockford IL. Our meeting topic will be "Property Standards" and our guest speakers will be City of Rockford Neighborhoods Standards Supervisor Rob Wilhelmi and Assistant City Attorney & Blight Reduction Officer Matt Flores. They will be talking about the aspects of keeping your property properly maintained, what city property codes require, the violation process and how they are handled.

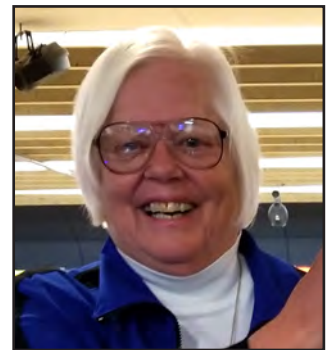
Happy New Year and I hope to see you all there. Thank you,

—Karl Fauerbach, RAA President

Meet Suzanne Gillespie

by Jerri Cole

One of the things I like most about doing these interviews is how interesting each individual is. Every one has an interesting story to tell. Suzanne's story is a reminder that nothing is handed to most of us and that hard work pays off. From building a passive solar house WITH THEIR OWN LUMBER to farming, horses, competitions and clinics, and a bowling alley, she reminds me of what life must have been like in the pioneer days.



We spent 10 years living and working our land and raising horses to ride and drive. As we got more involved with carriage driving we started to put on competitions and clinics. Our Haflinger Club sponsors clinics and learning events, and a few years ago we had a Youth day that my grandchildren were attended. For about 8 hours they learned about the horses, rode them, and played games. After that they went swimming since this was at our friend's place and they have a pool. Our friend is a diabetic and has had to amputate two of his toes. My husband had taken them since I was in Chicago on business. When I came home I asked my then 6-year-old what she had learned, and without hesitation her answer was, "Uncle Carlo only has 8 toes." I guess that goes to show what really sticks in their minds.

In 1980 we built a passive solar envelope house with our own lumber. We planned to sell this but a very nice family from L.A. came to look at one of our parcels for sale and fell in love with the place we lived on, so as you say in real estate, everything can be bought at a price. We sold them our place and moved into our spec. home. Things started to get a little bit more like the wild west then. Interest rates at this time were 12 to 18 per cent.

continued on page 3

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Selling it was almost impossible. Kirk's brother and sister had moved to Madison, WI. to get away from the big city and through a cousin in real estate in Madison we ended up trading our solar house and some more land for a closed banquet/bowling alley just east of Madison.

The place also came with a duplex that had one tenant, so we became landlords with a large business to rehab. As soon as we had the business up and running and a barn built, we sent a cattle hauler to CA to pick up our brood mares, foals, and our Hackney stallion. It took 6 years and a lot of hard work and money to sell the place. In the meantime we had bought a 120 acre farm down the road for our horses and a small herd of beef cattle. Raising foals and selling some land kept up busy until 2014.

We attended a real estate seminar in Rockford and since we had split the farm intending to retire, we had some money to invest. Looking into rentals we found that one could buy 4 or 5 houses in Rockford to one in Madison. Since we are only an hour away we bought a package of 5 early in 2015 and then added more to make it a business.

I think of myself as someone who is kind of quiet and likes to analyze things of importance which has helped a lot during the almost 50 years that I have been involved with real estate in many different forms. During those years Kirk and I worked as a team, but sadly a little over a year ago he passed away unexpectedly, so now I am running the business by myself.

The thing I like least about being a landlord is all the stories tenants come up with when they cannot pay the rent or help to keep the properties up. This, of course, is happening to most of us. On the other hand, the best thing are the tenants who send along a nice little note of thanks with the rent check. Those are the ones who keep the house and yard up and make that part of the business nice. You, of course, have to look at this as a business and knowing that any business has the same problems as we do.

I hope that Rockford will get more people back to work and out of drugs. My best advice to new landlords is: Make it and treat it as a business and do not take on more than you can handle. Being a woman should not hold anyone back. With most families that I have done business with, it is usually the wife who handles the check book and makes most buying decisions, so we are ready to be landlords too. 🏠

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Rental Property Maintenance: Landlord or Tenant Responsibility?

By Stephanie Reid, Avvo attorney and NakedLaw contributor

<https://www.zillow.com/rental-manager/resources/landlord-rental-maintenance-laws/>

As a landlord, you hope that your rental property will be a lucrative investment with only minor headaches, but your job isn't done once the lease is signed. You are responsible for providing tenants with a safe and clean living space, and in some cases, you must quickly address issues that negatively impact your tenants' quality of life. At the same time, tenants are responsible for maintaining the property and alerting you to health or safety problems.

Learn what rental property maintenance responsibilities are generally in the landlord's domain, and what situations might leave the tenant on the hook for a major repair bill.

Landlord responsibilities: Refresh, repair and replace
 You are required to provide a habitable living space for each tenant — meaning the unit or property must meet certain standards for safety, health and cleanliness — and this mandate cannot be disclaimed or restricted by a lease agreement to the contrary. These basic requirements are often set forth in a local municipal building code, which may impose stricter standards than the basic habitability threshold. For example, a local municipal building code may require a landlord to keep plumbing and electricity in constant working order and implement reasonable security measures. Furthermore, the laws of many states require landlords to address visible mold and remediate the property as quickly as possible, usually within days of detection.

Additional requirements may be included in the lease agreement. For instance, some landlords may assume the responsibility of regular maintenance to appliances, light fixtures or carpets, whereas other landlords may pass this requirement onto the tenant — as long as the impositions do not involve basic habitability issues.

In a lease agreement, landlords might also assume responsibility for the upkeep of common areas, as this helps to maintain property value and aesthetics. However, certain properties may require dues from unit owners or renters for the upkeep of a high-use common area like a swimming pool or clubhouse.



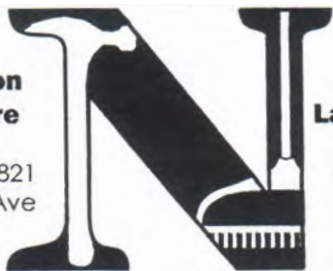
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Tenant obligations: Maintain and report

Tenants are typically responsible for ensuring their property stays sanitary, clean and in good repair. A landlord is generally not responsible for making any repairs caused by the tenant's own carelessness. However, if a tenant notices an issue and fails to report it to the landlord, the tenant may be held liable for additional damage that would not have occurred had the tenant made a timely complaint. In addition, many states recognize and enforce tenant liability in the following scenarios:


- Failure to discard trash
- Removal of fixtures, including lights, appliances or permanent decorative items
- Damage occurring as a result of pet policy violations
- Damage caused by fires as a result of negligence or reckless conduct
- Misuse of designated rooms
- Use of the premises for unlawful purposes

Lastly, while they are occupying the property, tenants are usually responsible for covering costs associated with normal wear and tear, such as having the carpets cleaned. Upon move-out, however, landlords are generally on the hook for any minor repairs or improvements that result from normal wear and tear.

Responding to maintenance issues

If a tenant experiences a major issue that impacts habitability, you must generally respond within 24 hours of the complaint; if you fail to do so, you might have to cover the cost of an alternative temporary shelter. Urgent issues affecting habitability include problems with heating or air conditioning, indoor plumbing, electricity, major security concerns, flooding, pest infestation or any other issue that renders the unit unlivable.

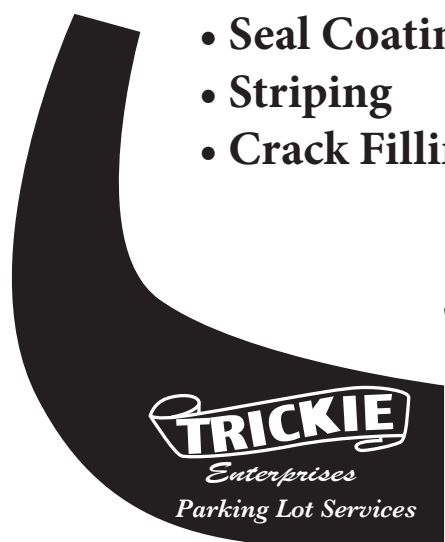
For more minor concerns, landlord response times may vary according to local regulations or the terms of the lease agreement. For a response time to be enforceable, however, it must be reasonable under the circumstances and not unduly burdensome on the tenant. For instance, a lease agreement allowing a landlord 45 days to respond to a tenant complaint will likely be deemed unreasonable, whereas a maximum wait time of 7 days will likely be upheld — assuming, of course, that the issue is not related to habitability.

Understand your state and local laws to ensure you are providing a healthy living environment for your residents, and encourage your tenants to contact you when problems arise so you can address them before they turn into major repairs. 

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How Landlords Work

By Dave Roos

<https://home.howstuffworks.com/real-estate/buying-home/landlord3.htm>

A landlord's responsibility to his tenants is to provide a safe, functional living space. Before a tenant moves in, it's the landlord's obligation to make sure that the property is up to local and federal housing code. City and county housing authorities establish strict minimum standards for electricity, plumbing, paint (lead-free), lighting, ventilation and structural integrity. Many cities also require safety measures like dead bolts on all exterior doors, smoke alarms and fire extinguishers in each unit.

Once the tenant moves in, it's the landlord's responsibility to repair anything that breaks on the property, from a burned-out light bulb in the stairwell down to leaky faucets. A landlord is expected to respond to a repair request within 24 hours and fix it within a reasonable time frame. The severity of the problem usually dictates how quickly it gets fixed.

If a landlord fails to address a known problem in a timely fashion, he could get into big trouble. The worst-case scenario is that a tenant or his guest is seriously injured by an unresolved issue with the property, like a broken rail on a staircase or a missing floorboard. If the tenant can prove that the landlord knew about the damage and neglected to act with reasonable timeliness to fix it, he can sue and he'll win. This is why landlords have to buy liability insurance.

Not all landlord-tenant arguments end in a lawsuit. But if a tenant gets frustrated with how long it takes his landlord to fix the dishwasher, he has several options. In most states in the United States, he can legally withhold his rent until the repair is made. He may also have the right to arrange the repairs himself and subtract the cost from his next rent check. In some states, if things get really bad, the tenant can treat the failure to respond as a breach of contract and move out in the middle of the lease.

A landlord can protect himself by documenting exactly when he receives all notifications of a problem with the property and when he took action to resolve it. Even if the landlord can't fix the problem right away, it's his responsibility to let the tenant know the circumstances that are causing the delay and when it might be resolved. A good landlord will encourage his tenants to report all known problems immediately to avoid potential liability for injuries.

continued on page 7

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It's also the landlord's responsibility to keep his tenants safe from crime. All stairways and common areas need to be well-lighted. Main doors and gates need to remain locked at all times. If there's an intercom system for buzzing in guests, it needs to be in working order. Exterior doors should have deadbolts and windows should have locks, particularly those that are accessible by an external fire escape.

A landlord also has to take reasonable measures to make sure that his tenants aren't criminals. If a landlord knows that some of his tenants are dealing drugs from their apartments, for example, and doesn't report them to the police, the landlord might be held accountable for any neighborhood crimes that can be linked to the drug-dealing operation. 🏠

A woman went to see a psychiatrist. "Doctor, I want to talk to you about my husband. He thinks he's a refrigerator."

"That's not so bad," said the psychiatrist. "It's a fairly harmless contraption."

"Well maybe," she said. "But he sleeps with his mouth open and the light keeps me awake."

A man walked into a psychiatrist's office with a pancake on his head, a fried egg on each shoulder and a piece of bacon over each ear.

"What seems to be the problem?" asked the psychiatrist.

The man said: "I am worried about my brother."

A wild drinking party in the woods was prematurely curtailed by a sudden storm - thunder, lightening, and torrential rain. Two young men, much the worse for drink, were forced to run for 10 minutes in the driving rain before eventually reaching the sanctuary of their car. Just then the rain began to ease off and although neither was in a fit state to drive, they decided to head for home. So the driver started the engine and put his foot down - the sooner they got home they thought, the less chance there was of being stopped by the police.

They had been driving for about a minute when an old man's face suddenly appeared at the passenger window. The young men were startled, not least being the speedometer showed they were doing about 40 miles an hour.

"What do you want?" they shouted, swigging beer as the old man tapped on the window. The driver put his foot down but when the old man kept tapping, the scared passenger wound the window down partway.

"Do you have any tobacco?" asked the old man quietly.

The passenger looked aghast at the driver. "He wants tobacco!"

"Well, give him a cigarette quick!" shouted the driver, accelerating up to sixty miles an hour.

The passenger fumbled around with the packet, handed the old man a cigarette and yelled to the driver "Step on it!" before quickly winding the window up.

"God, that was spooky!" said the passenger, taking another swig of beer.

"You're not kidding!" agreed the driver. "Let's get home—fast!"

But moments later, with the speedometer touching eighty miles per hour, there was another tap at the passenger window.

"I don't believe it!" screamed the passenger. "It's him again!"

"See what he wants now, yelled the driver.

The terrified passenger wound the window down a little and the old man asked politely: "Have you got a light?"

The passenger tossed a lighter out of the window, wound up the window and again ordered the driver to put his foot down.

They were now doing a hundred miles an hour and still guzzling beer, trying to forget what they had just seen, when all of a sudden there was more knocking.

"Oh, my God! He's back!"

The passenger shaking with fear, wound down the window and in a trembling voice, asked the old man what he wanted this time.

The old man replied softly: "Do you want some help getting out of the mud?"

How Landlords Work

By Dave Roos

<https://home.howstuffworks.com/real-estate/buying-home/landlord4.htm>


The landlord's most basic right, as detailed in the lease or rental agreement, is to collect rent. Depending on the nature of the rental, rent may be due once a month, twice a month or every week. The landlord and tenant will agree on how and when the rent is paid. Some landlords only take checks or money orders and others use bank deposits or even online payment systems. If a tenant fails to pay rent on time, it's within the landlord's rights to take action that could eventually lead to eviction.

In most U.S. states, and with most types of properties, it's within the landlord's rights to increase rent after the term of the lease expires. If a tenant signs a six-month lease, then the rent is fixed for the term of the lease. But when the lease expires, the landlord can raise the rent. Some older buildings in certain large American cities like New York, Chicago and San Fran-

cisco are rent-controlled or rent-stabilized, meaning that it's illegal for a landlord to charge more than a set amount for the property. The purpose is to ensure the availability of affordable housing in major city centers.

The landlord also has a right to enter the rental property, but only under specific conditions outlined in the rental agreement. For example, if a landlord wants to enter the rental unit to make general repairs, he usually has to give at least 24 hours' notice. In the case of an emergency like a flood, fire or major damage from a storm, the landlord has the right to enter the property without giving any advance notice. It's also within the landlord's rights to enter the rental unit to demand rent from a tenant whose payment is overdue and who is not responding to written notices.

As part of the tenant screening process, the landlord has to adhere to strict anti-discrimination laws. These apply only to people -- he does have the right to refuse to allow pets on the premises. He can even stipulate which breed or type animal is or isn't allowed to be kept on the property.

If a tenant doesn't keep up with his end of the lease or rental agreement, it's the landlord's right to initiate eviction proceedings. 



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Month Meeting

*Guy Panarici from Payroc
Payment Professionals*

*Larry Mills RAA Program Director
address's meeting attendees.*



▲ *Charles (Chip) Block from
Rockford detective Agency*

*Three-member-panel Jerry
Glawe, Karl Fauerbach, and
Tim Hoffman answer questions
on how they handle evictions ▶*



▲ *Paul Arena having conver-
sation with Tom and Muffy*

*Members enjoying fellowship a
good holiday meal ▶*





EVICCTIONS

The first step towards obtaining an eviction is to have a "Landlord's Notice." There are various types of landlord notices depending on the particular situation. The Winnebago County Law Library has self-help manuals available that can explain the different types of notices and what steps must be taken in the eviction process.

Once the Sheriff's Office receives the signed sealed Order from the Judge, a date and time can be set for Sheriff's personnel to meet the plaintiff at the eviction address. The Sheriff's Office will set the eviction date within three (3) business days after your possession date. This date can be set further out if requested since the eviction order is valid for one hundred-twenty (120) days from the date it is signed by the Judge. The Sheriff's role at the eviction address is to enforce the Order and keep the peace.

The plaintiff is responsible for the manpower along with things like garbage bags and boxes that may be necessary to move the possessions to the nearest public property (normally the curb).

Fees for Service of Civil Papers
\$18.50 per service plus \$1.00 per mile

Fees for Enforcement of an Eviction Order
EFFECTIVE AUGUST 1, 2011

Sheriff's fee for serving or attempting to serve an order of judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer without aid in the County are as follows:

\$74.00 Fee for restoring possession
\$ 5.00 Return
\$79.00**

Fee payable in advance, prior to scheduling.

**Mileage will be charged and added to the total, from the place of holding court to the place of residence of the defendant or witness, \$.50 per mile each way. Additional Civil Process Fee Information

If an eviction is cancelled by notifying the Sheriff's Civil Process no less than one hour prior to the date and time set, a \$5.00 non-refundable fee will be charged and the remaining eviction order fees will be refunded.

All requests for service shall be paid in advance.
Make checks payable to the Winnebago County Sheriff.

If you have any questions regarding the eviction process or fee schedule; or to cancel an eviction please call 815-319-6150.

Rockford Apartment Association Directory

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	Paul Arena	815-243-2924
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*Legal Counsel (Board Advisor) Tom Wartowski 815 978-1572

Rockford Apartment Association Code of Ethics

We, the members of the RAA, recognizing our duty to the public and the intimate nature of the relationship between the apartment resident and the owner, or manager, and being aware of the vastly increasing role of the apartment industry in providing the home of the future, and in order to provide the apartment-residing public with the maximum in quality and service upon the highest standards of honest and integrity, do hereby bind ourselves, with each and every member, together and alone, agreeing that, so long as we remain members of the RAA and so long as nothing contained herein shall be unlawful, we shall:

- Promote, employ and maintain a high standard of integrity in the performance of all rental obligations and services in the operation of our apartment communities.
- Maintain and operate our apartment communities in accordance with fair and honorable standards of competition, ever mindful of the purposes of the Rockford Apartment Association and in compliance with the bylaws thereof.
- Strive continually to promote the education and fraternity of the membership and to promote the progress and dignity of the apartment industry in creating a better image of itself in order that the public may be better served.
- Seek to provide better values, so that an even greater share of the public may enjoy the many benefits of apartment living.
- Establish high ethical standards of conduct within the apartment industry in the business relationship between the owner, managers and suppliers of products and services to the apartment industry.
- Maintain property standards of the appropriate governmental authority.
- Ensure that every qualified individual, regardless of that individual's race, color, religion, gender, disability, familial status or national origin is afforded the same opportunity to rent an apartment and enjoy the benefits of apartment living.

Financial statement available upon request to members in good standing.

The content and opinions expressed in the RAA newsletter do not necessarily reflect the views of, nor are they necessarily endorsed by, the Rockford Apartment Association or its board.